

**REMARKS**

The Office Action mailed November 5, 2003 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

**I. Summary of Rejections**

The following claim rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 1, 4, 5, and 9-11 were rejected under 35 U.S.C. §102(a) as being anticipated by Japanese Patent Number 11-265282 to Ichinose;
- Claim 2 was rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,657,301 to Yoshikawa, et al.;
- Claim 3 was rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,581,485 to Richmond;
- Claims 6 and 12 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,603,056 to Totani;
- Claims 7 and 13 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,651,132 to Honda, et al.; and
- Claims 8 and 14 were rejected under 35 U.S.C. §103 as being obvious over a combination of the Japanese Patent and U.S. Patent Number 5,307,346 to Fieldhouse.

**II. Summary of Claims**

Claims 1-6, 8-12, and 14-21 are currently pending in the application, with claims 1, 9, and 15 being independent claims. Claims 7 and 13 are cancelled; claims 1, 6, and 9 are amended; and claims 15-21 are added, in accordance with the above amendments. Claims 2-5, 8, 10-12, and 14 are unamended and remain, therefore, in their original, as-filed condition.

### **III. The Claims Patentably Distinguish Over The Applied Prior Art**

#### ***Independent Claims 1 and 9***

Independent claims 1 and 9 substantially incorporate the recitations of claims 7 and 13, which are now cancelled. The Office Action rejects claims 7 and 13 over the combination of the Japanese Patent and Honda. Whereas the Japanese Patent discloses a controller for an automatic vending machine that exhibits that capacity to rewrite a control program from a remote location, Honda discloses a computer system having a host computer and an array controller. Accordingly, the Examiner has effectively rejected independent claims 1 and 9, as amended, over the combination of the Japanese Patent and Honda.

According to the rejection, Honda discloses that the new data mapping information is sent from the host computer (see page 11, lines 1-2 of the Office Action). As stated in Honda, however, "If previous data and previous parity data corresponding to the transfer requested data are not found in the previous data memory 13 and the previous parity data memory 14, respectively, the host computer 1 generates and sends a data read request through the array controller 2 to disk units 3 which contain the transfer requested data, and previous data and previous parity data corresponding to this transfer requested data, *based on the mapping information detected or generated in the above-mentioned mapping*" (Honda, column 9, lines 26-34). Accordingly, Honda discloses that the host computer sends a data read request and does not actually send the new data mapping information.

In contrast with Honda, therefore, independent claims 1 and 9 recite that the host computer sends the new control program together with new data mapping information. The Applicant respectfully submits, therefore, that independent claims 1 and 9 are allowable over the combination of the Japanese Patent and Honda. In addition, claims 2-6, 8, 10-12, and 14 should be allowable for at least the same reason.

#### ***Independent Claim 15***

Independent claim 15 recites that the host computer sends the vending machine a remapping program that is executed by a data remapping portion, and the data remapping portion executes the remapping program in order to remap data used by the current control program. Based upon a review of Honda, however, there is no indication that the host computer sends a remapping program to the array controller. Accordingly, the Applicant respectfully submits that

independent claims 15 is allowable over the combination of the Japanese Patent and Honda. In addition, claims 16-21 should be allowable for at least the same reason.

#### IV. Conclusion

In view of the foregoing, the Applicant respectfully submits that all claims are in a condition for allowance. The Applicant respectfully requests, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed by facsimile transmission on February 4, 2004. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

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